IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 64 of 2006 (S/S)

1. Ramesh Chand
   S/o Sri Sadi Ram
2. Madan Kumar
   S/o Sri Bhuwan Chand Arya
3. Vinay Pal
   S/o Sri Vijay Pal

…….. Petitioners

Versus

1. Assistant Commissioner
   Customs and Central Excise Division,
   Haldwani, District Nainital.
2. Commissioner
   Customs and Central Excise Division,
   Meerut Zone, Meerut –II.
3. Chief Commissioner
   Customs and Central Excise,
   Meerut Zone, Meerut – I.
4. Director
   Central Board of Excise and Customs
   C.R. Building, New Delhi.
5. Secretary Revenue
   Customs and Central Excise,
   New Delhi.

…… Respondents

None for the petitioners.
Mr. Arvind Vashisthta, Asstt. Solicitor General for Union of India.

Hon'ble Prafulla C. Pant, J.

None for the petitioners.

Assistant Solicitor General for Union of India is present for the respondents.

2) By means of this writ petition, the petitioners, who are working on daily wages with the Customs and Central

Excise Department at Haldwani, have sought their regularization in service.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006 A.I.R.S.C.W. Page 1991***, that daily wage workers and the persons employed without undergoing regular selection process under the rules, should not be permitted to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularize services of the petitioners.

4) The writ petition is dismissed. Interim, if any, stands vacated. (All the pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt: November 29, 2006
H.Negi